

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

CIVIL ACTION No.

05-10548-JLT

JOHN DEREK MURPHY,
Petitioner

v.

MICHAEL THOMPSON,
Superintendent, MCI-Shirley
Respondent

**Petitioner John Derek Murphy's Application
For A Certificate of Appealability**

The Petitioner John Derek Murphy ("Murphy" or "Petitioner") respectfully moves that this Court grant him a certificate of appealability (COA) pursuant to 28 U.S.C. § 2253. Murphy seeks a COA as to this Court's dismissal of his habeas corpus petition. The issue for which Murphy seeks a COA is the trial court's failure to dismiss a juror or declare a mistrial after the juror disclosed that he had a conversation with Murphy's other defense attorney about Murphy's other similar criminal case. Murphy has attached a brief memorandum that sets forth the reasons for granting the COA.

Respectfully submitted,

/s/Angela G. Lehman

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